United Nations S/2010/41

Security Council

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The Security Council,

Recalling its previous resolutions, in particular resolutions 1880 and 1893 (2009), and the statements of its President relating to the situation in Côte d'Ivoire, and resolution 1885 (2009) on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement", S/2007/144), and that it welcomed the four subsequent Supplementary Agreements,

Recalling again in particular that in its resolution 1721 (2006) it notably endorsed the decision of the African Union Peace and Security Council on the mandate of the Head of State, and *recalling further* that in the statement of its President dated 28 March 2007 (S/PRST/2007/8) it endorsed the Ouagadougou Political Agreement, including its Chapter V on the institutional executive framework, and that this Agreement provided for a period of ten months for the holding of the presidential elections,

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the Ouagadougou Political Agreement follow-up mechanisms, *commending and encouraging* the continued efforts of the African Union and the Economic Community of West African States ("ECOWAS") to promote peace and stability in Côte d'Ivoire, and *reiterating* its full support for them,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, and *expressing its intention* to examine without delay the situation after any such attempt, on the basis of a report by the Secretary-General,

Having taken note of the letters of the Secretary-General dated 29 December 2009 (S/2009/694) and 15 January 2010 (S/2010/42) and of the proposal of the

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Presidents of Côte d'Ivoire and Burkina Faso to deploy some troops from Burkina Faso as part of UNOCI for three months,

Having taken note further of the Secretary-General report dated 7 January 2010 (S/2010/15),

Noting again with concern, in spite of the sustained improvement of the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence, *stressing* that the perpetrators must be brought to justice, *reiterating* its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and *recalling* its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women, peace and security, its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict and its resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

(*"Supporting the Ouagadougou political process and a credible electoral process"*)

1. *Recalls* that in the statement of its President dated 8 December 2009 (S/PRST/2009/33) it took note of the postponement of the first round of the presidential election to the end of February or the beginning of March 2010;

2. *Welcomes* the progress made towards the establishment of the final voters list, including the publication of the provisional voters list certified by the Special Representative of the Secretary-General;

3. *Reiterates* its determination to bring its full support to a credible electoral process in Côte d'Ivoire, and *reiterates further* that the publication of a final voters list certified by the Special Representative of the Secretary-General is crucial for the holding of open, free, fair and transparent elections;

4. *Urges* the relevant Ivorian stakeholders to ensure the publication of the final voters list, to announce the official date of the first round of the presidential election and to meet their commitments in full;

5. *Reiterates further* that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards and *reaffirms* its full support to the Special Representative of the Secretary-General in his certification role;

6. *Stresses* that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative consistent with the five-criteria framework referred to in document S/2008/250 and after inclusive contacts with all stakeholders in Côte d'Ivoire, including civil society;

7. *Stresses the importance* of an inclusive participation of the Ivorian civil society in the electoral process, and of ensuring the equal protection of and respect

for human rights of every Ivorian as they relate to the electoral system, and in particular respect for freedom of opinion and expression, and removing obstacles and challenges to women's participation and full involvement in public life;

8. *Urges* again the political parties to comply fully with the Code of Good Conduct for elections which they signed under the auspices of the Secretary-General, and in particular *urges* the Ivorian authorities to allow equitable access to public media;

9. *Expresses* its concerns at the delays encountered in the deployment of the mixed units of the Integrated Command Centre responsible to secure the elections and *urges* the Ivorian parties to enhance their efforts in this regard;

10. *Urges* the Government of Côte d'Ivoire to provide the operators involved in the electoral process with the necessary support, and *encourages* the international community to continue their support to the electoral process, including, with the agreement of the Ivorian authorities, by providing electoral observation capacity and related technical assistance;

11. *Recalls* that it is fully prepared to impose targeted measures pursuant to paragraph 20 of resolution 1893 (2009), including among other things against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire, and *recalls* further that, pursuant to paragraph 6 of the above mentioned resolution, any threat to the electoral process in Côte d'Ivoire, in particular any attack on or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the actions of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement, shall constitute a threat to the peace and national reconciliation process for the purposes of paragraph 9 and 11 of resolution 1572 (2004);

12. *Urges* the Ivorian parties to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes;

13. *Reaffirms* paragraphs 14 to 17 of its resolution 1880 (2009), *calls upon* all Ivorian parties, with the continued support of UNOCI, to ensure the protection of civilian, including women and children, to fully implement the recommendations by its working group on Children and Armed Conflict in Côte d'Ivoire (S/AC.51/2008/5), including to adopt a national action plan to address sexual violence, and to ensure that rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and *calls* in particular upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence;

(*"Renewing the mandate the United Nations Operation in Côte d'Ivoire"*)

14. *Decides* to renew the mandate of UNOCI, as determined in resolution 1739 (2007), until 31 May 2010, in particular to support the organization in Côte d'Ivoire of free, fair open and transparent elections;

15. *Requests* UNOCI, within its existing resources and mandate, to continue to bring its full support to the parties in the implementation of the remaining tasks under the Ouagadougou Political Agreement and its Supplementary Agreements, in particular those that are essential to the holding of a open, free, fair and transparent presidential election, to provide technical and logistical support to the Independent Electoral Commission for the preparation and the holding of the elections in a

secure environment, to continue to support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias and to continue to contribute to the promotion and protection of human rights, including the protection of women and children, pursuant to paragraph 26 of its resolution 1880 (2009);

16. *Expresses* its intention in principle to raise for a limited period of time the current level of 7450 authorized military personnel as will be needed and up to no more than 7950 personnel, when the final voters list will be made public, and *requests* to this end the Secretary-General to keep it informed of his technical analysis;

17. *Stresses* in this regard that it will hold the Ivorian parties fully accountable for the respect of the electoral timeline;

18. *Requests* UNOCI to continue to assist the Facilitator and his Special Representative in Abidjan in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third Supplementary Agreement;

19. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in UNOCI with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council informed, and *urges* troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

20. *Decides* to extend until 31 May 2010 the authorization it provided to the French forces in order to support UNOCI, within the limits of their deployment and their capabilities;

21. *Expresses* its intention to review in full by 31 May 2010, with a view to possible significant modifications, the mandate of UNOCI, the authorization provided to the French forces which support it, the level of troops of UNOCI and the benchmarks referred to in annex I of the report of the Secretary-General dated 7 January 2010, in light of the elections and the implementation of the key steps of the peace process;

22. *Requests* the Secretary-General to provide to it an update by mid-March 2010 and a full report by the end of April 2010, including detailed recommendations and options for the future of UNOCI as well as revised benchmarks based on the results of a technical assessment mission;

23. *Decides* to remain actively seized of the matter.